

IEPA Log No.: **C-0165-14**
CoE appl. #: **2013-00540**

Public Notice Beginning Date: **August 31, 2015**
Public Notice Ending Date: **September 21, 2015**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Illinois Department of Transportation, JR Thompson Center, 100 West Randolph, Suite 6-600, Chicago, IL 60601 and BNSF Railway, 3611 West 38th Street, Chicago, IL 60632

Discharge Location: Section 18, T38N, R9E of the 3rd P.M. in DuPage and Kane Counties near Aurora

Name of Receiving Water: Unnamed tributary to Indian Creek and Unnamed Wetlands.

Project Description: Improvements to Eola Yard.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Thaddeus Faught at 217/782-3362.

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Fact Sheet for Antidegradation Assessment

Illinois Department of Transportation / BNSF Railway – Unnamed Tributary to Indian Creek and Unnamed Wetlands – Kane and Dupage Counties

IEPA Log #C-0165-14

COE Log# 2013-00540 (Chicago District)

Contact: Eric Runkel (217) 558-2012

August 31, 2015

BNSF Railway (BSNF) and Illinois Department of Transportation (IDOT) (applicants) are proposing to construct capacity improvements on railroad property to increase operational efficiency at Eola Yard between Milepost (MP) 33 and MP 37.1 in Aurora, Illinois. Construction will include a new lead track entering the yard from the east, the addition and realignment of five railroad tracks (with one being a new ladder track), realignment of an existing service access road and railroad signal system improvements within the yard. The BNSF Eola Yard Project is part of the Chicago to Quad Cities Corridor Expansion Program which will implement intercity passenger rail service (currently proposed as two daily round trips) between Chicago Union Station and the new Moline multimodal station. The comprehensive project crosses county borders (Kane and Dupage).

On July 8, 2015, the Army Corps of Engineers (ACOE) requested additional stream mitigation for the unnamed tributary. This antidegradation assessment is in response to new information regarding stream mitigation in order to update the original antidegradation assessment posted on July 23, 2014.

Identification and Characterization of the Affected Water Body.

The unnamed tributary (no Segment Code) of Indian Creek (no Segment Code), is considered a General Use water and has a 0 cfs 7Q10 flow at this location. The segment is not listed in the Illinois Integrated Water Quality Report and Section 303(d) List 2014. The segment is not listed as biologically significant and has not been given an integrity rating in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The segment is not enhanced in regards to the dissolved oxygen water quality standard.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

The pollutant load increases that would occur from this project include possible increases in suspended solids locally along the relocated section of the unnamed tributary. Existing benthos directly beneath where approximately 531 feet of stream is proposed to be relocated would be permanently removed. Approximately 0.16 acres of wetland meadows will be permanently removed.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. The new proposal includes increasing the channel length to a total of 623 linear feet (92 feet longer than the original channel to be filled) with a 3:1 bank slope. Various structures (stone diversion and stream riffles) and shoreline restoration (trees, shrubs and wetland type vegetation) is being proposed by the applicants for the entire length of the new channel and a downstream portion of the existing tributary. One of the downstream riffles proposed will create a pool and maintain about a foot of water. The stream restoration area and adjoining buffer zones will encompass approximately 1.4 acres and be protected from future development by a permanent deed restriction. An annual monitoring program will be completed by the

applicants over a five-year period to ensure success of the proposed improvements. The existing tributary is of low quality and is located in a heavy industrial area. The proposed modification will only improve the condition of the waterway. The 0.16 acres of wetlands to be impacted are proposed to be compensated at a ratio of 1.5:1 using a certified mitigation bank. USACE will make the final determination on the necessary mitigation ratio.

Purpose and Social & Economic Benefits of the Proposed Activity.

The purpose is to allow for the addition of two daily Amtrak round trips for the proposed Chicago to Quad Cities passenger rail service program. The proposed improvements to the Eola Yard facility are needed to increase rail operational efficiency of the yard and the main lines to allow the new passenger rail service to operate with the proposed time schedules and to accommodate the freight, Metra commuter and Amtrak passenger operation in an efficient manner.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

An alternate layout for the extension of the five existing yard tracks was evaluated. However this alternate layout was eliminated from further consideration because the spacing of the five new tracks needs to match the spacing of the existing tracks, the tracks need to be tangent and match existing track spacing for rail operations and the safety of BNSF personnel, and it would be cost prohibitive to relocate the existing five tracks.

Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities

An internal Biological Resources Review was completed on July 25, 2013 by IDOT and concluded that adverse effects are unlikely from the project.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this antidegradation review summary was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the impacted waters will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this project will improve use and safety of the railroad yard. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.